

OPINION 1263

PROTOTOMUS VIVERRINUS COPE, 1874 (MAMMALIA):
REFUSAL TO DESIGNATE A NEOTYPE UNDER
THE PLENARY POWERS

RULING.—(1) The request to use the plenary powers to designate a neotype for the nominal species *Prototomus viverrinus* Cope, 1874, is hereby refused.

(2) The specific name *viverrinus* Cope, 1874, as published in the binomen *Prototomus viverrinus*, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2874.

HISTORY OF THE CASE Z.N.(S.)1631

An application for the use of the plenary powers to designate a neotype for *Prototomus viverrinus* Cope, 1874 was first received from Dr Leigh Van Valen on 9 January 1964. After exchanges of correspondence, a revised application was sent to the printer on 3 March 1967 and published on 27 April 1967 in *Bull. zool. Nom.* vol. 24, pp. 93–94. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the prescribed publications. An objection to the proposal was received from Dr E. Lindsay (*Department of Geology, University of Arizona*).

DECISION OF THE COMMISSION

On 3 April 1969 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (69)17 for or against the proposals set out in *Bull. zool. Nom.* vol. 24, p. 94. At the close of the voting period on 3 July 1969 the state of the voting was as follows:

Affirmative Votes—three (3) received in the following order:
China, Bonnet, Starobogatov

Negative Votes—eighteen (18) received in the following order:
Holthuis, Evans, Lemche, Simpson, Vokes, Obruchev, Melville, Brinck, Mayr, do Amaral, Jaczewski, Sabrosky, Forest, Uchida, Eisenmann, Ride, Mertens, Binder.

Alvarado returned a late affirmative vote and Kraus a late negative vote. No votes were returned by Munroe and Tortonesi.

The following comments were returned by members of the Commission with their voting papers:

Holthuis: 'The application is very incomplete. No author or date is given for the generic names *Sinopa* and *Stypolophus*, so that one

cannot make out whether these are senior or junior synonyms of *Prototomus*. Nothing is said of the usage of the various names.'

Vokes: 'The type specimen, though damaged, is still extant and certainly should reveal significant diagnostic characters. While it is true that most students of fossil mammals have come to rely almost entirely on dentition, to state that the snout and dentition are the "only diagnostic parts" seems rather far fetched.'

Melville: 'In view of Dr Lindsay's comment I think this application is premature. A ruling by the Commission should not be asked for until topotypes of *P. viverrinus* have been collected and examined.'

Brinck: 'The name should be suppressed or left alone until adequate collecting from the type horizon clears the case. This is one of numerous cases in palaeontology. I should be reluctant to start solving them in the way proposed by the applicant.'

Ride: 'The author claims, but does not demonstrate, a chaotic nomenclatural situation; he merely demonstrates uncertainty about allocating a small quantity of apparently rare material. He does not demonstrate that allocating any of the type material to any of the possible taxa will cause upset and I do not think that a case has been made for action under the plenary powers.'

'Has AMBLOCTONIDAE been used? Will upset be caused by its replacing PALAEONICTIDAE? A separate case might be made for this.'

Kraus: 'I partially vote against the proposal; I agree with the proposals on the family-group names in question.'

ORIGINAL REFERENCES

The following is the original reference to a name placed on an Official List by the ruling given in the present Opinion:
viverrinus, *Prototomus*, Cope, 1874, *Ann Rep. Chief Engineers* (U.S.), Appendix FF (not seen).

NOTE ON THE PROCEDURE ADOPTED IN THIS CASE

Although the proposal to place *viverrinus*, *Prototomus*, on the Official List 'as interpreted by the neotype' was rejected, an entry in the Official List is the only way in which the fact can be recorded that that specific name has been considered by the Commission. The reasons for the delay in publishing this Opinion cannot now be ascertained.

CERTIFICATE

I hereby certify that the votes cast on V.P.(69)17 were cast as set out above, that the proposal contained in that voting paper has

been rejected, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1263.

R. V. MELVILLE

Secretary

International Commission on Zoological Nomenclature

London

29 September 1983

POSTSCRIPT

Dr Philip Gingerich (*University of Michigan*) has shown in *J. Mamm.* vol. 63, pp. 706–709, 1982, that, while the missing type specimen may have belonged to one of two orders (Creodonta, Carnivora), Dr Van Valen's proposed neotype is certainly of the order Condylarthra, and hence in any case belongs in a different order from *Prototomus viverrinus*.

R.V.M.

November 1983